REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:

MAIL STOP RCE COMMISSIONER FOR PATENTS P. O. BOX 1450 ALEXANDRIA, VA 22313-1450

(Revised 01/2003)

| Application Number 10/701,519 | |
|--------------------------------------|--|
| Filing Date November 6, 2003 | |
| First Named Inventor: Gardner et al. | |
| Art Unit: 1771 | |
| Examiner Name: Cheryl Ann Juska | |
| Confirmation No.: 7372 | |
| Attorney Docket No. 019662/310960 | |

This is a request for <u>Continued Examination (RCE)</u> under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

| appl | | | |
|------|----------------|----------------------|--|
| l. | un wl an | ente nich y pr | ission required under 37 C.F.R. § 1.114 Note: if the RCE is proper, any previously filed red amendments and amendments enclosed with the RCE will be entered in the order in they were filed unless applicant instructs otherwise. If applicant does not wish to have eviously filed unentered amendment(s) entered, applicant must request non-entry of such ment(s). |
| | a. | | Previously submitted |
| | | i. | ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on |
| | | ii. | ☑ Other Please do not enter the unentered amendment filed June 29, 2006. Enter the accompanying amendment instead. |
| | b. | i. ii. iii. | Enclosed ☑ Amendment/Reply ☐ Affidavits(s)/Declarations(s) ☐ Information Disclosure Statement (IDS); of cites listed on PTO Form 1449 ☐ Other |
| 2. | <u>M</u> | isce | llaneous |
| | a. | | Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months. (Period of suspension shall not exceed 3 |
| | b. | | months; Fee under 37 C.F.R. § 1.17(i) required) Other |

| In re: Gardner et al. | |
|-----------------------|--|
| Appl. No.: 10/701,519 | |
| Filed: 11/06/03 | |
| Page 2 | |
| | |

| 3. | Fees | The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is |
|----|-------------|--|
| | filed. | |

- The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments, to Deposit Account No. 16-0605.
 - i.

 RCE fee required under 37 C.F.R. § 1.17(e) (\$790.00 large entity)
 - ii.

 Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)
 - iii.

 Other
- b.

 Check in the amount of \$_____ enclosed

Respectfully submitted,

/Raymond O. Linker, Jr./

Raymond O. Linker, Jr. Registration No. 26,419

Customer No. 00826 Alston & Bird LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Charlotte Office (704) 444-11000 Fax Charlotte Office (704) 444-1111 LEGAL02/20021083v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JULY 20, 2006.